



January 9, 2024

FOR IMMEDIATE RELEASE

An Indigenous Led Public Inquiry on racism in the justice system is the only way to see meaningful change.

Statement from MTI Chiefs

It has been over a year since the Commissioner of Systemic racism released her report and made recommendations to the Government of New Brunswick. The only progress that has been seen is the amount of dust the report is collecting on the shelves of government departments. The provincial government tried it their way, but it remains clear that if our justice system is going to become more equitable for all, we need an Indigenous led public inquiry on systemic racism in New Brunswick's justice system.

For years, First Nations leadership in New Brunswick have raised concerns about the treatment of Indigenous peoples in the justice system, including the overrepresentation and over incarceration of Indigenous peoples. In the wake of the shooting deaths of Rodney Levi and Chantal Moore, and the acquittal in the death of Brady Francis, First Nations leadership called on the Province to create an independent inquiry into systemic racism in the justice system. Despite inadequate investigations into police conduct in both cases, the deaths of both Rodney and Chantal were subsequently confirmed as homicides by coroner's inquests.

Premier Blaine Higgs refused to endorse an inquiry, saying recommendations from other reviews and inquiries could be implemented. In September 2021, he hired a Commissioner to look at those recommendations and provide further recommendations the provincial government could implement.

The process was flawed from the start. MTI shared concerns over the authority of the Commissioner; the lack of input from Indigenous groups on the hiring process; and the political influence on the Commissioner that subsequently occurred. However, she did provide a report to the government a year ago and it deserves a response. This lack of action once again demonstrates the provincial government does not see the lack of equality in our government services, particularly in the justice system, and that should concern New Brunswickers.

Since the Government of New Brunswick has not provided a response to the Commissioner on Systemic Racism's report, MTI has prepared one. First and foremost, the only way meaningful change will happen in New Brunswick's justice system is if there is an Indigenous-led public inquiry.

An independent Indigenous-led public inquiry into systemic racism against Indigenous Peoples in New Brunswick could serve many functions, including:

- Raising awareness and increasing public understanding of the problem of racism in New Brunswick generally, and in the justice system specifically.
- Filling many of the gaps in the data / information regarding racism in New Brunswick.
- Examining the root causes of, and potential solutions to, the problems, leading to widespread change in the justice system and in New Brunswick generally.
- Assisting our Mi'gmaq communities, and the families of those who have lost loved ones, to find answers, to heal, and find closure.
- Providing the independence and impartiality that a government committee, commission or task force cannot; and
- Reviewing and assessing the progress made in New Brunswick in addressing the recommendations, calls to action, and calls for justice made by prior commissions, inquiries, and expert panels.

A public inquiry could achieve all of this because it would have the legal authority to compel witnesses and to collect the data that is missing regarding the extent of the problems in New Brunswick. For example, the powers of the commissioners of such a public inquiry would be quite broad, allowing the commissioners of the public inquiry hearing from witnesses such as police officers, provincial Crown Ministers, and others whose evidence may be material to the subject of the inquiry: systemic racism against Indigenous Peoples in New Brunswick.

It is time for all the facts to be laid out. After the delays and lack of action, we hope New Brunswickers will read this response and agree with us that change, and improvements will only happen if there is an Indigenous led public inquiry. This is the only way we will see a more equitable justice system for everyone.

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